

92  
(cont)

on the housing received in a mortise on the electrical switching apparatus; and  
means for resiliently locking the housing to the electrical switching apparatus.

3. (Amended) The contact assembly of claim 1 wherein the joining means comprises a dovetail joint joining the housing to the electrical switching apparatus.

---

**Remarks**

Claims 1 and 3-21 are pending in the application, claim 2 being combined with claim 1 by this amendment.

Correction to the specification is made by this amendment. The objection should be withdrawn.

Applicants traverse the rejection of claims 1-5 as indefinite.

Claim 1 specifies a contact assembly for use in an electrical switching apparatus comprising a housing and means for resiliently locking the housing to the electrical switching apparatus. The action indicates that the preamble states that the contact assembly is "mounted in the electrical switching apparatus". This is incorrect. The preamble states that the contact assembly is for use in an electrical switching apparatus. There is nothing indefinite about thereafter specifying means for resiliently locking the housing to the electrical switching apparatus. The objection should be withdrawn.

The rejection of claim 1 is moot as claim 1 is amended to incorporate all of the elements of dependent claim 2.

Applicants traverse the rejection of claims 1 (former claim 2) and 3-21 as obvious over Lehman et al. U.S. Patent No. 4,774,484 in view of McGary U.S. Patent No. 3,290,628.

Independent claim 1 specifies a contact assembly for use in an electrical switching apparatus having an actuator. The contact assembly comprises a housing enclosing an electrical contact and a pusher selectively actuable by the actuator to operate the contact. Means are providing for joining the housing to the electrical switching apparatus comprising a tenon on the housing received in a mortise on the electrical switching apparatus. Means are provided for resiliently locking the housing to the electrical switching apparatus.

Lehman et al. disclose a contact assembly having a housing including L-shaped ribs inserted by moving the housing toward the electrical switching apparatus, as shown in Fig. 9, to be received in openings in the electrical switching apparatus. The housing is then moved sideways so the L-shaped ribs engage the sides of the openings. Additionally, a flexible lever 36 has a projecting knob which when so mounted is received in a further opening 162 in the electrical switching apparatus. The relationship is possible owing to the use of two axis motion in that the contact assembly housing is first moved toward the contactor housing to deflect the lever arm and then moved sideways for the ribs to engage the housing and the lever to flex inwardly so that the knob 138 is received in the opening 162.

As admitted in the action, Lehman et al. do not disclose or suggest a mortise and tenon joint.

McGary discloses a contactor having auxiliary switches mounted using a dovetail joint and further secured by captive screws 112 and 114, see Fig. 13. The construction of McGary

is generally similar to that discussed at page 2, line 11, through page 3, line 2, of the above-referenced application. As such, the auxiliary contact is mounted to the contactor by aligning it with the contactor and sliding it downwardly. This is a single axis type of motion. It is not a dual axis type motion as required in Lehman et al. As such, it is not apparent how a flexible lever as in Lehman could be used with the structure of McGary. Conversely, it is not apparent how the L-shaped ribs of Lehman et al. could be replaced with a mortise and tenon construction. The L-shaped ribs necessitate the two axis motion. The mortise and tenon precludes two axis motion. Without the use of the first axis of motion there is no flexing of the lever so that the device as combined is inoperable. It is not apparent why one skilled in the art would substitute the mortise and tenon for the ribs and openings. The action suggests this is to provide a tight lock. If this were true, then the flexible lever would be unnecessary. In fact, it is not apparent that McGary provides a tight lock. That is why the captive screws are required by the construction of McGary. The structures use different elements to achieve desired results. There is no incentive to modify either reference based on teachings of the other.

For the above reasons, applicants submit that the combination of the reference is improper. Therefore, claim 1 and its dependent claims 3-5 are believed allowable and withdrawal of the rejection is requested.

Independent claim 6 specifies an electrical switching system comprising a main housing enclosing an actuable apparatus including an actuator extending outwardly of the main housing. A contact housing encloses an electrical contact and a pusher selectively actuable by the actuator to operate the contact. A mortise on one of the main housing and contact housing and a

tenon on the other of the main housing and contact housing join the contact housing to the main housing. A snap lock resiliently locks the contact housing to the main housing.

Independent claim 6 is believed allowable for the same reasons discussed above relative to claim 1. Particularly, the mounting structure for the two references are distinct and are not combinable. Therefore, claim 6 and its dependent claims 7-12 are believed allowable. These dependent claims also specify details of the construction which further distinguish them from the cited references. For example, claim 9 specifies that the main housing comprises first and second parallel ribs having facing channels to define the mortise and a third rib extending angularly from the first and second ribs. No such ribs are disclosed in any of the references. Claim 10 specifies that the snap lock comprises a flexible web extending from the contact housing with a projection on the web engaging the third rib. Again, there is no structure in either of the cited references.

Independent claim 13 specifies an electrical switching apparatus comprising a main housing enclosing an actuable apparatus including an actuator having opposite ends extending outwardly of opposite sides of the main housing. A contact housing encloses an electrical contact and a pusher selectively actuable by the actuator to operate the contact. A mortise on each side of the main housing and a tenon on each side of the contact housing join the contact housing to either side of the main housing with the pusher proximate one of the ends of the actuator. A snap lock resiliently locks the contact housing to the main housing .

Independent claim 13 and its dependent claims 14-19 are believed allowable for the same reasons as discussed above relative to claims 1 and 3-12. Additionally, neither reference discloses a mortise on each side of the main housing and a tenon on each side of the contact housing.

Independent claim 20 specifies the method of mounting a contact block to an electrical switching apparatus, comprising: providing a main housing enclosing an actuable apparatus including an actuator having opposite ends extending outwardly of opposite sides of the main housing and a mortise on each side of the main housing aligned with a rib; providing a contact housing enclosing an electrical contact and a pusher selectively actuable by the actuator to operate the contact and having a tenon and a snap lock element; joining the contact housing to either side of the main housing with the pusher proximate one of the ends of the actuator by sliding the tenon in one of the mortises; and resiliently locking the contact housing to the main housing by engaging the rib with the snap lock element.

Claim 20 and its dependent claim 21 are believed allowable for the same reasons discussed above relative to claims 1 and 3-19. Additionally, the references do not disclose or suggest resiliently locking a contact housing to a main housing by engaging a rib on the main housing with the snap lock element.

For the above reasons, claims 1 and 3-21 are believed allowable and withdrawal of the rejection is requested.

Reconsideration of the application and allowance and passage to issue are requested.

Respectfully submitted,



F. William McLaughlin, Registration No. 32,273

January 9, 2003  
Wood, Phillips, Katz  
Clark & Mortimer  
500 West Madison, Suite 3800  
Chicago, Illinois 60661  
(312) 876-1800

**Marked up version**

**Cross-Reference to Related Patent Applications**

The present U.S. patent application having at least one common inventor as  
U.S. Patent Application Serial No. [\_\_\_\_\_] 09/961,155 entitled "System  
and Method for Auxiliary Contact Assembly"[(2001P17284US)], and

U.S. Patent Application Serial No. [\_\_\_\_\_] 09/961,162 entitled "System  
and Method for Mounting a Pusher and Moveable Contact in a Contact  
Block"[(2001P17288US)], and

U.S. Patent Application Serial No. [\_\_\_\_\_] 09/961,156 entitled "System  
and Method for Mounting a Moveable Contact in a Contact Block"[(2001P17289US)], and

U.S. Patent Application Serial No. [\_\_\_\_\_] 09/961,158 entitled "Contact  
Block Assembly and Method of Assembling a Contact Block Assembly"[(2001P17279US)], and

U.S. Patent Application Serial No. [\_\_\_\_\_] 09/961,161 entitled "Pusher  
Assembly and Method of Assembling a Pusher Assembly [2001P17280)], and

U.S. Patent Application Serial No. [\_\_\_\_\_] 09/961,160 entitled "Moveable  
Contact and a Method of Assembling a Pusher Assembly having a Movable  
Contact"[(2001P17281US)],

are filed with the U.S. Patent and Trademark Office concurrently on September 21, 2001, the  
entirety of each being incorporated herein by reference.

**In the Claims**

Please amend claims 1 and 3 as follows and cancel claim 2.

1. (Amended) A contact assembly for use in an electrical switching apparatus

having an actuator, comprising:

a housing enclosing an electrical contact and pusher selectively actuatable by the actuator to operate the contact;

means for joining the housing to the electrical switching apparatus comprising a tenon on the housing received in a mortise on the electrical switching apparatus; and

means for resiliently locking the housing to the electrical switching apparatus.

3. (Amended) The contact assembly of claim [2] 1 wherein the joining means comprises a dovetail joint joining the housing to the electrical switching apparatus.